

In re: Engel *et al.*
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In the Claims:

The listing of Claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Currently Amended) A method for remote distribution/installation of computer programs from a source data processing system to at least one target data processing system based on at least two distribution/installation modes, comprising ~~the steps of:~~
 - checking if the at least one target data processing system is available;
 - performing ~~the~~ distribution/installation according to one of the at least two distribution/installation modes, if the at least one target data processing system is available;
 - monitoring if the distribution/installation is successful; and
 - switching the distribution/installation mode if the distribution/installation is not successful.

2. (Currently Amended) The method according to claim 1 wherein the computer programs are transferred as packages which are identified in a package list, the method further comprising ~~the further particular steps of:~~
 - pre-specifying attempt numbers for retrying a push-mode distribution and a pull-mode distribution;
 - retrieving a next package identified in the package list;
 - checking if the at least one target data processing system is available;
 - if the at least one target ~~computer~~ data processing system is available then starting installation of the package on the target data processing system;
 - otherwise, if at least one push-mode attempt is left, resuming and rescheduling a next push-mode distribution and, if no push-mode attempt is left, but at least one pull-mode attempt is left, resuming and rescheduling a next pull-mode distribution.

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3. (Original) The method according to claim 2, wherein if the target data processing system is not available after several retries, performing the further particular steps of:

if the number of push retries is greater than 0, moving a distribution/installation request into a hold queue and scheduling re-insertion of the request into a request queue;

if the number of push retries is equal 0 and the number of pull retries is greater than 0, moving the request into a pull queue and restarting when the target computer system logs in; and

if the number of push retries is equal 0 and the number of pull retries is equal 0, moving the request into an abort queue.

4. (Currently Amended) The method according to ~~any of claims 1 to 3~~ claim 1, further comprising queuing a distribution/installation request in a request queue and setting the distribution/installation request into an active queue when a pre-specified time is exceeded.

5. (Currently Amended) The method according to ~~any of claims 1 to 3~~ claim 1, further comprising detecting an active queue overload and checking if a currently selected target data processing system is already active.

6. (Currently Amended) A data processing program for execution in a data processing system comprising software code portions for performing a method according to ~~any of claims 1 to 3~~ claim 1 when said program is run on said computer.

7. (Currently Amended) A computer program product stored on a computer usable medium, comprising computer readable program means for causing a computer to perform a method according to ~~any of claims 1 to 3~~ claim 1 when said program is run on said computer.

8. (Original) A software distribution system for remote distribution/installation of computer programs from a source data processing system to at least one target data processing system based on at least two distribution/installation modes, comprising:

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means for checking the availability of the at least one target data processing system and for performing the distribution/installation dependent on the results of the availability checking;
means for monitoring the distribution/installation process; and
means for switching the distribution/installation mode, dependent on the results of the monitoring.

9. (Original) A software distribution system for remote distribution/installation of computer programs from a source data processing system to at least one target data processing system based on at least two distribution/installation modes, wherein the computer programs are transferred as packages which are identified in a package list, the system comprising a queue manager which includes a request queue and an active queue for handling the remote distribution.

10. (Currently Amended) The system according to claim 9, where the queue manager comprises:

means for checking if a pre-specified time is exceeded; and
means for checking if the active queue is overloaded and, if not, for setting the request into the active queue.

11. (Currently Amended) The system according to claim 9 ~~or 10~~, where the queue manager comprises means for checking if a current target data processing system is already active and, if not, for setting the request into the active queue.

12. (New) The method according to claim 2, further comprising queuing a distribution/installation request in a request queue and setting the distribution/installation request into an active queue when a pre-specified time is exceeded.

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13. (New) The method according to claim 3, further comprising queuing a distribution/installation request in a request queue and setting the distribution/installation request into an active queue when a pre-specified time is exceeded.

14. (New) The method according to claim 2, further comprising detecting an active queue overload and checking if a currently selected target data processing system is already active.

15. (New) The method according to claim 3, further comprising detecting an active queue overload and checking if a currently selected target data processing system is already active.

16. (New) A data processing program for execution in a data processing system comprising software code portions for performing a method according to claim 2 when said program is run on said computer.

17. (New) A data processing program for execution in a data processing system comprising software code portions for performing a method according to claim 3 when said program is run on said computer.

18. (New) A computer program product stored on a computer usable medium, comprising computer readable program means for causing a computer to perform a method according to claim 2 when said program is run on said computer.

19. (New) A computer program product stored on a computer usable medium, comprising computer readable program means for causing a computer to perform a method according to claim 3 when said program is run on said computer.

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20. (New) The system according to claim 10, where the queue manager comprises means for checking if a current target data processing system is already active and, if not, for setting the request into the active queue.